

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Attorney Docket No. 1053.001B

In re application of: Gary W. Elko et al.

Serial No.: 10/500,938

Filed: 07/08/2004

Group No.: 2615

Examiner: Ping Lee

Phone No.: 571-272-7522

For: "Audio System Based on at Least Second-Order Eigenbeams"

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR § 1.56, this is an Information Disclosure Statement (IDS) for the above-captioned U.S. patent application. An IDS Form PTO-1449 listing references is enclosed herewith and forms a part hereof. Submission of references is not an admission that those references are in fact prior art.

Certification Under 37 CFR § 1.704(d)

- [ ] Each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of this statement.

Certification Under 37 CFR § 1.97(e)

- [X] Each item of information contained in this statement was either (1) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement or (2) not known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement.

Fee Under 37 CFR § 1.97(c)

- [ ] The fee for submission of this IDS under § 1.97(c) is \$180.00 as set forth in § 1.17(p).

Petition Under 37 CFR § 1.97(d)

- [ ] This is a petition requesting consideration of an IDS under § 1.97(d). The petition fee for submission of this IDS under § 1.97(d) is \$180.00 as set forth in § 1.17(p).

Provision of Copies of References

- [ ] A copy of each of the listed references is enclosed herewith and forms a part hereof.

- [ ] A translation of each of Reference(s)     is enclosed herewith and forms a part hereof.

- ☐ A copy of the International Search Report from a corresponding PCT application is enclosed herewith.
- ☐ A copy of the European Search Report from a corresponding EPO application is enclosed herewith.
- ☐ A copy of the final U.S. office action for U.S. patent application no. \_\_\_\_\_ filed on \_\_\_\_\_ as attorney docket no. (Case name or our ref.).
- ☐ The above-captioned U.S. patent application is a
- ☐ continuation
  - ☐ divisional
  - ☐ continuation-in-part

application of U.S. application serial number \_\_\_\_\_, filed on \_\_\_\_\_ as Attorney Docket No. \_\_\_\_\_. Each of the listed references was previously cited by or submitted to the Office in the prior application. The above-captioned U.S. patent application relies upon the prior application for an earlier filing date under 35 U.S.C. 120. Pursuant to § 1.98(d), copies of the listed references are not being provided with this IDS.

Authorization To Charge Deposit Account

☒ Authorization is given to charge Mendelsohn & Associates, P.C. Deposit Account No. 50-0782 any deficiency or credit any overpayment for any fee under § 1.97(c) or § 1.97(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449 form as confirmation that each of the documents has been considered.

Respectfully submitted,

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Enclosures